

From: Karen Johnson/DC/USEPA/US
Sent: 2/10/2012 4:02:11 PM
To: KarenD Johnson/R3/USEPA/US@EPA
CC:
Subject: Fw: Cabot meeting the week of February 21 [Dimock: request to copy PADEP]

----- Forwarded by Karen Johnson/DC/USEPA/US on 02/10/2012 04:02 PM -----

From: Humane Zia/R3/USEPA/US
To: Karen Johnson/DC/USEPA/US@EPA, Ron Borsellino/R3/USEPA/US@EPA
Date: 02/10/2012 02:41 PM
Subject: Fw: Cabot meeting the week of February 21 [Dimock: request to copy PADEP]

THIS MEMO MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATIONS

See the my email below. I requested that Cabot's counsel copy PADEP, and from my email I think they would understand it should go to Scott Perry. I just called their counsel again to repeat the request -- he confirmed that their 2/3/12 letter was not copied to PADEP.

Please give me Scott Perry's contact info, so I can send it to Cabot's counsel.

Thanks,
Humane

Humane L. Zia
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
Office of Regional Counsel
1650 Arch Street (3RC41)
Philadelphia, PA 19063-2029
215.814.3454 / 215.814.2603 fax

----- Forwarded by Humane Zia/R3/USEPA/US on 02/10/2012 02:34 PM -----

From: Humane Zia/R3/USEPA/US
To: "Rothschild, Lowell" <Lowell.Rothschild@bglp.com>
Cc: "Barrette, Amy L. (abarrette@fulbright.com)" <abarrette@fulbright.com>, "Hutt, Jason" <Jason.Hutt@bglp.com>
Date: 02/02/2012 11:58 AM
Subject: RE: Cabot meeting the week of February 21

Thank you, Lowell. Please copy PADEP on Cabot's remaining submissions to EPA. I understand that Scott Perry also would like the information Cabot is providing in response to EPA's January 6, 2012 letter.

Also, Amy Barrette had asked me, about a week or so ago, whether EPA requires Cabot's "Level 4" data quality assurance information for the sample results being submitted to EPA. I relayed to Amy last week that EPA does require Level 4, in order to validate the existing data. Please provide a timeline for when you expect that information will be sent.

Regarding the meeting date, I am still confirming schedules here at EPA, but we are working to accommodate the morning of February 22. I look forward to receiving your draft agenda.

Regards,
Humane

Humane L. Zia
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
Office of Regional Counsel

1650 Arch Street (3RC41)
Philadelphia, PA 19063-2029
215.814.3454 / 215.814.2603 fax

From: "Rothschild, Lowell" <Lowell.Rothschild@bgllp.com>
To: Humane Zia/R3/USEPA/US@EPA
Cc: "Barrette, Amy L. (abarrette@fulbright.com)" <abarrette@fulbright.com>, "Hutt, Jason" <Jason.Hutt@bgllp.com>
Date: 02/02/2012 10:18 AM
Subject: RE: Cabot meeting the week of February 21

Humane –

Sorry for the slow response. Yes, your email accurately reflects our conversation. Cabot is still planning to provide a fair amount of responsive information to EPA tomorrow, although that may slip to Monday. After that, we will continue to gather the information not initially produced and produce it on a rolling basis; that will include data in EDD format. It appears that at least some of our data is in EDD format, and we will certainly provide EPA with all such data that we have in that format. My hope is that the EDD production won't take much longer than another week or so to produce.

I should also have a draft agenda for the meeting to you by the end of the day today.

Thanks very much,

Lowell Rothschild, Senior Counsel
Bracewell & Giuliani LLP

From: Zia.Humane@epamail.epa.gov [mailto:Zia.Humane@epamail.epa.gov]
Sent: Tuesday, January 31, 2012 4:00 PM
To: Rothschild, Lowell
Cc: Barrette, Amy L. (abarrette@fulbright.com); Hutt, Jason
Subject: Re: Cabot meeting the week of February 21

Lowell,

Thanks for speaking with me today. Just to confirm, I requested that Cabot submit its data to EPA in 'electronic data deliverable' or EDD format, as indicated in the instructions accompanying EPA's January 6, 2012 104(e) letter (Enc. 1 - Instruction No. 5). I stated that this will facilitate EPA's review. We discussed that this request is not intended to delay Cabot's current assembly of information, which I understand will be submitted on 2/3, but should be provided to EPA as soon as possible. Please let me know if there is any problem with this, and what Cabot's timing will be.

Concerning the proposed meeting date, I hope to get back to you tomorrow to either confirm the date or provide some alternative dates.

Regards,
Humane

Humane L. Zia
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
Office of Regional Counsel
1650 Arch Street (3RC41)
Philadelphia, PA 19063-2029
215.814.3454 / 215.814.2603 fax

From: "Rothschild, Lowell" <Lowell.Rothschild@bgllp.com>

To: Humane Zia/R3/USEPA/US@EPA
Cc: "Hutt, Jason" <Jason.Hutt@bgllp.com>, "Barrette, Amy L. (abarrette@fulbright.com)" <abarrette@fulbright.com>
Date: 01/31/2012 01:35 PM
Subject: Cabot meeting the week of February 21

Humane –

With the knowledge that our agreed-upon plan was for us to see what EPA's availability is during the week of the 21st and then see if what Cabot's is, we've now heard back from all of our folks and have a date that works for all of us on this end – the morning of February 22. Of course, we're flexible if that doesn't work for you all, but I thought I'd send it along at this point just so you know what would work best for us if it works for you all.

Thanks very much,

Lowell Rothschild | Senior Counsel | Bracewell & Giuliani LLP
2000 K Street NW, Suite 500 | Washington DC | 20006-1872
T: (202) 828-5817 | C: (202) 253-4563 | F: (800) 404-3970

lowell.rothschild@bgllp.com | www.bgllp.com